

1 Joseph George, Jr., State Bar Number 200999
Maricar A. Pascual, State Bar Number 313310
2 LAW OFFICES OF JOSEPH C. GEORGE, PH.D.
3 A Professional Corporation
601 University Avenue, Suite 270
4 Sacramento, California 95825
Telephone: 916.641.7300
5 Facsimile: 916.641.7303
mailbox@psyqlaw.com
6

7 Michael Reck, State Bar No. 209895
mreck@andersonadvocates.com
8 Jennifer E. Stein, State Bar No. 300775
jennifer@andersonadvocates.com
9 JEFF ANDERSON & ASSOCIATES PA
12011 San Vicente Boulevard, Suite 700
10 Los Angeles, California 90049
Telephone: 310.357.2425
11 Facsimile: 651.297.6543
NCCC@andersonadvocates.com
12

13 Attorneys for Plaintiff **JOSEPH DOE FR 429**

14 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
15 **FOR THE COUNTY OF ALAMEDA**

16 JOSEPH DOE FR 429, an individual
17 Plaintiff,
18 vs.
19 DOE 1, a religious corporation sole,
20 DOE 2, a religious entity form unknown, and
21 DOE 3 through DOE 100, inclusive
22 Defendants.

) Case Number:
) Case Number: JCCP 5108
) **COMPLAINT FOR DAMAGES:**
) **1. NEGLIGENCE—NEGLIGENT SUPERVISION, NEGLIGENT RETENTION**
) **2. NEGLIGENCE—NEGLIGENT SUPERVISION OF PLAINTIFF- THEN A MINOR**
) **Filed Pursuant to**
) **Code of Civil Procedure Section 340.1,**
) **as amended by Assembly Bill 218**
) **DEMAND FOR JURY TRIAL**

1 **COMPLAINT FOR DAMAGES**

2 Based upon information and belief available to Plaintiff JOSEPH DOE FR 429 (“Plaintiff”)
3 at the time of the filing of this Complaint, Plaintiff alleges as follows against Defendants DOE 1, a
4 religious corporation sole; DOE 2, a religious entity of form unknown; and DOE 3 through DOE
5 100 (collectively, “Defendants”):

6 **PARTIES**

7 1. Plaintiff is a natural person who was the resident of the County of Fresno, State of
8 California, at all relevant times mentioned herein. The name utilized by Plaintiff in this Complaint
9 is a fictitious name used to protect Plaintiff’s privacy as a victim of childhood sexual assault, as
10 defined by section 340.1 of the Code of Civil Procedure. Plaintiff was born in 1978. Plaintiff was a
11 minor throughout the period of childhood sexual assault alleged herein. Plaintiff brings this
12 Complaint pursuant to Code of Civil Procedure Section 340.1, as amended by Assembly Bill 218,
13 for damages suffered as a result of childhood sexual assault. In addition, Plaintiff’s claim for
14 damages suffered as a result of childhood sexual assault is timely filed as it is filed within three
15 years of January 1, 2020.

16 2. This is an action for damages suffered as a result of childhood sexual assault, as
17 alleged against DEFENDANTS. Pursuant to rulings by the Trial Coordination Judge, this case is
18 appropriate to be designated as a complex case, is appropriate for inclusion in the Judicial Council
19 Coordinated Proceeding Number 5108, *In Re Northern California Clergy Cases* (“JCCP 5108”)
20 and is appropriately filed in The Superior Court of California, County of Alameda. Plaintiff(s) will
21 seek to Add-On this case to JCCP 5108, before the Honorable Winifred Y. Smith, in Department 21
22 of The Superior Court of California, County of Alameda.

23 3. Plaintiff is informed and believes and thereon alleges that at all times material
24 hereto, Defendant DOE 1 was and continues to be a corporation sole, which includes but is not
25 limited to civil corporations, decision making entities, officials, and employees, authorized to
26 conduct business, incorporated in, and conducting business in the State of California, with its
27 principal place of business in Fresno County, California. Defendant DOE 1 purposely conducts or
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1 conducted substantial business operations in and throughout the State of California and County of
2 Fresno. Defendant DOE 1 is or was responsible for Roman Catholic Church operations in Fresno
3 County, California. DOE 1 is or was responsible for the funding, staffing and direction of the
4 parishes, parochial schools, fraternal organizations and other facilities and institutions within the
5 geographic area of the County of Fresno, and encompasses other counties in Northern California.
6 Defendant DOE 1 was the primary entity owning, operating and controlling the activities and
7 behavior of its employees and agents at Defendant DOE 2, including Father Craig Harrison
8 (“PERPETRATOR”), DOE 3 through DOE 100, and all other employees, agents and supervisors of
9 Defendants. Plaintiff is further informed, believes and thereon alleges that Defendant DOE 1 had
10 sole authority and responsibility to control and supervise the ministry of PERPETRATOR from at
11 least 1987.

12 4. Plaintiff is informed and believes and thereon alleges that at all times material
13 hereto, Defendant DOE 1 employed PERPETRATOR as an agent and had the ability to control and
14 supervise PERPETRATOR’s activities. Defendant DOE 1 was an entity that supervised its
15 employees and agents, including its priests, teachers, and administrators, who supervised minor
16 children, including those on its premises and in its programs. At all times material hereto,
17 PERPETRATOR was under the direct supervision, employ, and control of Defendant DOE 1, a
18 religious corporation sole. PERPETRATOR physically perpetrated acts of childhood sexual assault
19 upon Plaintiff when Plaintiff was a minor.

20 5. Plaintiff is informed and believes and thereon alleges that at all times material
21 hereto, Defendant DOE 2 was and is a religious institution organized under the laws of the State of
22 California as a religious entity of form unknown, which includes but is not limited to civil
23 corporations, decision making entities, officials and employees authorized to conduct business and
24 conducting business in the State of California, with its principle place of business in Firebaugh,
25 California. At all times material, Defendant DOE 2 was and continues to be under the direct
26 authority, control and province of Defendant DOE 1 and the Bishop, DOE 1. DOE 2 includes, but is
27 not limited to, the parish/school corporation and entity. Defendant DOE 2 is responsible for the
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1 funding, staffing, and direction of a Catholic church/school located at 1558 Twelfth Street,
2 Firebaugh, California.

3 6. Plaintiff is informed and believes and thereon alleges that PERPETRATOR was a
4 cleric with DOE 1, DOE 2, and DOE 3 through DOE 100, and was assigned to DOE 2 between
5 approximately 1992 through in or around 1999.

6 7. Plaintiff is informed and believes and thereon alleges that the true names and
7 capacities, whether individual, corporate, associate or otherwise, of Defendants named herein as
8 Defendant DOE 3 through DOE 100, inclusive, are currently unknown to Plaintiff, who therefore
9 sues DOE Defendants by such fictitious names, and who will amend the Complaint to show their
10 true names and capacities when such names have been ascertained. Plaintiff is informed and
11 believes and thereon alleges that DOE Defendants are legally responsible in some manner for the
12 events, happenings, and/or tortious and unlawful conduct that caused the injuries and damages
13 alleged in this Complaint.

14 8. Plaintiff is informed and believes and thereon alleges that at all times material hereto
15 there existed a unity of interest and ownership among Defendants and each of them, such that an
16 individuality and separateness between Defendants ceased to exist. Defendants were the
17 successors-in-interests and/or alter egos of the other Defendants in that they purchased, controlled,
18 dominated and operated each other without any separate identity, observation of formalities, or any
19 other separateness. To continue to maintain the façade of a separate and individual existence
20 between and among Defendants, and each of them, would serve to perpetuate a fraud and injustice.

21 9. Plaintiff is informed and believes and thereon alleges that at all times material
22 hereto, Defendants were the agents, representatives and/or employees of each and every other
23 Defendant and were acting within the course and scope of said alternative personality, capacity,
24 identity, agency, representation and/or employment and were within the scope of their authority,
25 whether actual or apparent. At all times material hereto, Defendants were the trustees, partners,
26 servants, joint venturers, shareholders, co-conspirators, contractors, and/or employees of each and
27 every other Defendant, and the acts and omissions alleged herein were done by them, acting
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1 individually, through such capacity and within the scope of their authority and with the permission
2 and consent of each and every other Defendant, and that such conduct was thereafter ratified by
3 each Defendant, and that each Defendant is jointly and severally liable to Plaintiff.

4 10. While religious belief is absolutely protected, conduct is not protected and the
5 actions herein below were illegal secular motivated conduct that is regulated by the law.

6 **FACTS**

7 11. Plaintiff is informed and believes that PERPETRATOR was ordained a Roman
8 Catholic priest in 1987. PERPETRATOR was employed by Defendant
9 DOE 1. PERPETRATOR remained under the direct supervision, employ, and control of
10 Defendants. Defendant DOE 1 and Defendant DOE 2 placed PERPETRATOR in positions where
11 he had access to and worked with children as an integral part of his work.

12 12. Defendant DOE 1 also assigned PERPETRATOR to St. Francis Assisi, Bakersfield
13 (approximately July 1, 1999 to April 21, 2021); DOE 2 (approximately July 1, 1992 to June 30,
14 1999); St. Francis of Assisi Mission, Mojave (approximately October 17, 1991 to June 30, 1992);
15 St. Francis Assisi, Bakersfield (approximately June 22, 1989 to October 16, 1991); and Our Lady of
16 Mercy, St. Patrick's and Sacred Heart, Merced (approximately September 12, 1987 to June 21,
17 1989)

18 13. PERPETRATOR is known to have sexually assaulted children, other than Plaintiff.

19 14. In 1962, the Vatican in Rome issued a Papal Instruction binding upon all Bishops
20 throughout the world, including the Bishop of DOE 1. The instruction was binding upon the Bishop
21 of DOE 1 until 2001. The instruction directed that allegations and reports of childhood sexual
22 abuse and or childhood sexual assault by priests were required to be kept secret and not disclosed
23 either to civil authorities such as law enforcement, to co-employees or supervisors of parish priests,
24 or to parishioners generally.

25 15. Defendant DOE 1's procedure requires Bishops to keep *subsecreto* files also known
26 as confidential files. These files are not to be made public.

27 16. Because of problems of sexual misconduct (including childhood sexual abuse and or
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1 childhood sexual assault) by Catholic clergy, the Catholic Church and other organizations
2 sponsored treatment centers for priests that had been involved in sexual misconduct. One such
3 treatment center is the Saint John Vianney Center, (founded in 1946) represented on its public
4 website that it is/was “the longest running, internationally renowned, behavioral health facility in
5 North America for Clergy and Religious.” Similarly, a different treatment center, the Servants of
6 the Paraclete represented that it “is an international religious community founded... in 1947 with a
7 specific ministry to serve fellow priests and brothers who are facing particular challenge in their
8 vocations and lives” with locations across the country, including in the states of Missouri and New
9 Mexico. The Saint Luke Institute, is a third similar treatment provider for priests who engage in
10 sexual misconduct and has treatment centers in Maryland, Kentucky, and Missouri.

11 17. Sexual abuse by Catholic clergy has been a reality in the Catholic Church for
12 centuries but has remained covered by deep secrecy. This secrecy is rooted in the official policies of
13 the Catholic Church which are applicable to Defendants and in fact are part of the practices of each
14 Defendant, including Defendant DOE 1. Sexual abuse of minors by Catholic clergy and religious
15 leaders became publicly known in the mid-1980s as a result of media coverage of a case in
16 Lafayette, Louisiana. Since that time, the media has continued to expose cases of clergy sexual
17 abuse throughout the United States. In spite of these revelations as well as the many criminal and
18 civil litigations the Church has been involved in as a result of clergy sexual abuse of minors, the
19 bishops and other Church leaders continued to pursue a policy of secrecy.

20 18. All of the procedures required in the so-called “Dallas Charter” have been previously
21 mandated by Defendant DOE 1 and in the 1922 and 1962 documents, but were consistently ignored
22 by Catholic Bishops. In place of the required processes, which would have kept a written record of
23 cases of clergy sexual abuse, the Bishops applied a policy of clandestine transfer of accused priests
24 from one local or diocesan assignment to another. The receiving parishioners and often the
25 receiving pastors were not informed of any accusations of sexual abuse of minors.

26 19. Refusal to disclose sexually abusive clerics to parishioners and even fellow clerics
27 has been tactic utilized by Defendants to maintain secrecy. Another has been to use various forms of
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1 persuasion on victims or their families to convince them to remain silent about incidents of sexual
2 abuse. These forms of persuasion have included methods that have ranged from sympathetic
3 attempts to gain silence to direct intimidation to various kinds of threats. In so doing, the clergy
4 involved, from Bishops to priests, have relied on their power to overwhelm victims and their
5 families.

6 20. Plaintiff was sexually assaulted by PERPETRATOR.

7 21. Plaintiff was raised in a devoutly Catholic family, was baptized, confirmed, and
8 served as an altar server and regularly celebrated weekly mass and received the sacraments through
9 their Church. When Plaintiff was a child, Plaintiff attended DOE 2, which was owned, operated,
10 controlled and run by Defendant DOE 1 and Defendant DOE 2. Plaintiff came in contact with
11 PERPETRATOR as an agent and representative of Defendants, and at DOE 2.

12 22. Plaintiff participated in youth activities and church activities at DOE 2. Plaintiff was
13 educated and taught the theology and tenets of the Roman Catholic Church on matters of faith,
14 morals and religious doctrine. Plaintiff therefore developed great admiration, trust, reverence,
15 respect for, and obedience to the Roman Catholic Church and clergy who occupied positions of
16 great influence and persuasion as holy men and authority figures. Plaintiff was encouraged to trust,
17 respect, and obey PERPETRATOR by and through Defendant DOE 1 and Defendant DOE 2.

18 23. As a minor, Plaintiff regularly attended mass and engaged in confession with priests
19 employed by Defendant DOE 1. Accordingly, a special relationship was formed between Plaintiff,
20 then a minor, and Defendants. As delineated in California Evidence Code sections 1030-1034,
21 codifying the clergymen-penitent privilege, the fact that a special relationship between Defendants
22 and parishioners not only exists, but extends to non-spiritual matters.

23 24. During and through these activities, Plaintiff, as a minor and vulnerable child, was
24 dependent on Defendants and their agents, including PERPETRATOR. Plaintiff was under the
25 custody and control of Defendant DOE 1 and Defendant DOE 2, who had control over Plaintiff's
26 welfare and who were responsible for running DOE 2 with a duty to protect Plaintiff because he
27 was in a special relationship with Defendants. Defendant DOE 1 and Defendant DOE 2 had
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1 accepted the entrustment of Plaintiff and had responsibility for Plaintiff and authority over Plaintiff.

2 25. In approximately 1993 and through approximately 1995, when Plaintiff was
3 approximately 15, 16, and 17 years old and a member of Defendant DOE 1 and Defendant DOE 2,
4 PERPETRATOR sexually assaulted Plaintiff, a minor. While performing his duties as a priest, and
5 for the purpose of furthering the duties required in that role, PERPETRATOR befriended Plaintiff
6 and gained Plaintiff's trust and confidence as a spiritual guide, authority figure, and trustworthy
7 mentor.

8 26. Seeing PERPETRATOR as a trustworthy mentor, Plaintiff was conditioned to
9 comply with PERPETRATOR's direction and to respect him as a person of authority in spiritual,
10 ethical, and educational matters. PERPETRATOR's conduct constituted "grooming" of Plaintiff
11 and culminated in his childhood sexual assault and abuse of Plaintiff.

12 27. PERPETRATOR utilized Defendants' facilities and institutions to gain access to
13 Plaintiff. At all relevant times, PERPETRATOR was referred to as "Father" and wore the priest
14 collar and attire. This signified to people that PERPETRATOR was in good standing and
15 authorized by Defendants to act as a priest and agent of the Church. It was by virtue of
16 PERPETRATOR's position as a priest of Defendants that he met and groomed Plaintiff, established
17 trust with Plaintiff, and manipulated that trust in order to sexually assault and abuse Plaintiff.

18 28. PERPETRATOR sexually molested, assaulted and abused Plaintiff on the premises
19 owned, operated, and controlled by Defendant DOE 1 and Defendant DOE 2, including in the
20 church and rectory at DOE 2. PERPETRATOR's sexual assault of Plaintiff included, but was not
21 limited to childhood sexual assault as defined by Code of Civil Procedure section 340.1.

22 29. PERPETRATOR sexually abused Plaintiff for sexual gratification and was, at least
23 in part, based on the Plaintiff's gender and age, who was a minor child at the time.

24 30. PERPETRATOR's conduct was "childhood sexual assault" as defined by the Code
25 of Civil Procedure section 340.1(d) as amended by Assembly Bill 218, including any act committed
26 against Plaintiff that occurred when the Plaintiff was under the age of 18 years and that would have
27 been proscribed by Section 266j of the Penal Code; Section 285 of the Penal Code; paragraph (1)

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1 or (2) of subdivision (b), or of subdivision (c), of Section 286 of the Penal Code; subdivision (a) or
2 (b) of Section 288 of the Penal Code; paragraph (1) or (2) of subdivision (b), or of subdivision (c),
3 of Section 287 or of former Section 288a of the Penal Code; subdivision (h), (i), or (j) of Section
4 289 of the Penal Code; any sexual conduct as defined in paragraph (1) of subdivision (d) of Section
5 311.4 of the Penal Code; Section 647.6 of the Penal Code; and/or any prior laws of this state of
6 similar effect at the time the act was committed.

7 31. Plaintiff did not, and was unable to give free or voluntary consent to the sexual acts
8 perpetrated against Plaintiff by PERPETRATOR, as Plaintiff was a minor child at the time of the
9 childhood sexual assault alleged herein.

10 32. By using his position within Defendants' institutions, Defendant DOE 1, Defendant
11 DOE 2, DOE Defendants and PERPETRATOR, demanded and required that Plaintiff respect
12 PERPETRATOR in his position as a priest, teacher, spiritual advisor, confidant, counselor and
13 mentor for Defendants.

14 33. As a direct and proximate result of PERPETRATOR's childhood sexual assault
15 against Plaintiff, which was enabled and facilitated by Defendants, and each of them, Plaintiff has
16 suffered and will continue to suffer physical, psychological, emotional and economic harm in a sum
17 to be proven at the time of trial.

18 34. As a direct and proximate result of Plaintiff's sexual assault by PERPETRATOR,
19 which was enabled and facilitated by Defendants, and each of them, Plaintiff has suffered economic
20 injury, all to Plaintiff's general, special and consequential damage in an amount to be proven at
21 trial, but in no event less than the minimum jurisdictional amount of this Court.

22 35. PERPETRATOR at all times material hereto was an employee, agent and/or
23 representative of Defendant DOE 1, Defendant DOE 2, and DOE Defendants. PERPETRATOR
24 engaged in unlawful sexual conduct with Plaintiff when Plaintiff was a minor. Defendants are
25 vicariously liable for the childhood sexual assault committed by PERPETRATOR, including but not
26 limited to through the theories of *respondeat superior*, ratification, and authorization.

27 PERPETRATOR's childhood sexual misconduct and assault with Plaintiff occurred while he was
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1 functioning on behalf of Defendants, and was made possible because of that agency.

2 36. Under Church protocol and practice, in return for the vow of obedience by a priest,
3 the Bishop accepts responsibility for the care and welfare of a priest as well as to supervise the
4 priest's ministry. A diocesan priest may not engage in any form of public ministry without the
5 permission of his Bishop. By allowing a priest to engage in public ministry, such as by allowing
6 him to wear his religious/priestly attire and hold himself out as a priest, the Bishop is certifying that
7 the priest is in good standing and sexually safe.

8 37. Defendants ratified and authorized PERPETRATOR's childhood sexual assault of
9 Plaintiff by (1) failing to discharge, dismiss, discipline, suspend and/or supervise PERPETRATOR
10 or other priests known by Defendants to have sexually assaulted children, or to have been accused
11 of sexually abusing children, (2) actively shielding PERPETRATOR from responsibility for his
12 childhood sexual assault of Plaintiff and other minors, (3) failing to acknowledge the existence of
13 complaints against PERPETRATOR of childhood sexual assault on Plaintiff and minors, (4) failing
14 to report such complaints to civil or criminal authorities, (5) providing financial support to
15 PERPETRATOR during and/or after the childhood sexual assault of Plaintiff and/or other minors,
16 and (6) failing to take steps to timely remove PERPETRATOR from the priesthood so as to
17 permanently prevent him from using his authority bestowed upon him by Defendants to gain access
18 to minors and sexually assault them.

19 38. By taking the above wrongful, negligent, and/or intentional actions and/or failing to
20 act after having knowledge or having reason to know of such childhood sexual assault of Plaintiff
21 and/or other minors, Defendants ratified and authorized PERPETRATOR's sexual assault of
22 minors. By ratifying PERPETRATOR's sexual assault of minors, Defendants in legal effect
23 committed and caused the childhood sexual assault of Plaintiff when Plaintiff was a minor.

24 39. Defendants failed to uphold numerous mandatory duties imposed upon them by state
25 and federal law, and by written policies and procedures applicable to Defendants.

26 40. As a minor at DOE 2, which was owned, operated, and controlled by the Defendants,
27 and where PERPETRATOR was employed, retained, and worked, Plaintiff was under Defendants'

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1 direct supervision, care, and control. This constituted a special relationship, fiduciary relationship
2 and/or special care relationship between Plaintiff and Defendants. Additionally, as a minor child
3 under the custody, care, and control of Defendants, Defendants stood *in loco parentis* with respect
4 to Plaintiff while Plaintiff was at DOE 2. As the responsible parties and/or employers controlling
5 PERPETRATOR, Defendants were also in a special relationship with Plaintiff, and owed special
6 duties to Plaintiff.

7 41. Defendants knew or had reason to know, or were otherwise on notice, that
8 PERPETRATOR had engaged in unlawful sexual-related conduct with minors in the past, and/or
9 was continuing to engage in such conduct with Plaintiff, and failed to take reasonable steps, and to
10 implement reasonable safeguards, to avoid acts of unlawful sexual conduct in the future by
11 PERPETRATOR.

12 42. Defendants had a duty to disclose these facts to Plaintiff, Plaintiff's parents and/or
13 guardians and others, but instead Defendants negligently and/or intentionally suppressed, concealed,
14 or failed to disclose this information for the express purposes of maintaining PERPETRATOR's
15 image as an ethical, wholesome, safe, and trusted spiritual leader at and within the institution run by
16 the Defendants. The duty to disclose this information arose from the special, trusting, confidential,
17 fiduciary, and *in loco parentis* relationship between Defendants and Plaintiff.

18 43. Instead, Defendants ignored and/or concealed the childhood sexual assault of
19 Plaintiff and others by PERPETRATOR and continued to allow numerous children, including the
20 Plaintiff, to be in private, secluded areas with PERPETRATOR, despite knowledge of or reasons to
21 suspect PERPETRATOR's prior sexually abusive acts toward minors.

22 44. Plaintiff is informed, believes and thereon alleges that Defendants were given notice
23 of inappropriate conduct committed by PERPETRATOR.

24 45. Defendants failed to report and concealed from Plaintiff, Plaintiff's parents and/or
25 guardians, other minor children in their care and their parents, law enforcement authorities, civil
26 authorities, and others, the true facts and relevant information necessary to bring PERPETRATOR
27 to justice for the sexual misconduct he committed with minors and to protect those entrusted in their
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1 care, including Plaintiff.

2 46. During the period of childhood sexual assault of Plaintiff at the hands of
3 PERPETRATOR, Defendants had the authority and ability to stop PERPETRATOR's childhood
4 sexual assault of Plaintiff, but negligently and/or willfully failed to do so, thereby allowing the
5 childhood sexual assault to occur and continue unabated. This failure was part of Defendants' plan
6 and arrangement to conceal wrongful acts, to avoid or interfere with detections, to block public
7 disclosure, to avoid scandal, to avoid disclosure of their tolerance of childhood sexual assault, to
8 preserve a false appearance of propriety, and to avoid investigation and action by public authority,
9 including law enforcement.

10 47. At the time of PERPETRATOR's childhood sexual assault of Plaintiff, as defined by
11 Code of Civil Procedure section 340.1(d), Defendants knew or had reason to know, or were
12 otherwise on notice of prior acts of childhood sexual assault committed by PERPETRATOR, and
13 despite such knowledge and/or notice, failed to take reasonable steps or implement reasonable
14 safeguards to protect Plaintiff from childhood sexual assault. These acts and/or omissions on the
15 part of Defendants were committed in spite of their ability to exercise control over the personal and
16 business affairs of PERPETRATOR. Accordingly, Defendants are liable for PERPETRATOR's
17 childhood sexual abuse of Plaintiff in that their wrongful, intentional and/or negligent acts were a
18 legal cause of Plaintiff's childhood sexual assault.

19 **VENUE**

20 48. This is an action for damages suffered as a result of childhood sexual assault, as
21 alleged against DEFENDANTS. Pursuant to rulings by the Trial Coordination Judge, this case is
22 appropriate to be designated as a complex case, is appropriate for inclusion in the Judicial Council
23 Coordinated Proceeding Number 5108, *In Re Northern California Clergy Cases* ("JCCP 5108")
24 and is appropriately filed in The Superior Court of California, County of Alameda. Plaintiff(s) will
25 seek to Add-On this case to JCCP 5108, before the Honorable Winifred Y. Smith, in Department 21
26 of The Superior Court of California, County of Alameda.

1 knowledge, Defendants negligently failed to supervise PERPETRATOR, a supervisor of minor
2 children with the propensity and ability to commit wrongful acts against Plaintiff. Defendants
3 failed to provide reasonable supervisions of PERPETRATOR, failed to use reasonable care in
4 investigating PERPETRATOR, and failed to provide adequate warning to Plaintiff and others of
5 PERPETRATOR's dangerous propensities and unfitness. Defendants further failed to take
6 reasonable measures to prevent the childhood sexual assault, molestation and harassment of minor
7 children, including Plaintiff.

8 55. As institutions entrusted with the care of minors, where staff, employees, agents, and
9 management, such as PERPETRATOR, were placed in contact with minor children, Defendants
10 expressly and implicitly represented that these individuals, including PERPETRATOR, were not a
11 threat to children and others who would fall under PERPETRATOR's influence, control, direction,
12 and guidance.

13 56. Defendants were aware or had reason to have been aware of how vulnerable children
14 were to sexual harassment, molestation and assault by mentors, advisors, teachers, counselor and
15 other persons of authority within Defendants.

16 57. Defendants breached their duty to Plaintiff by, *inter alia*, failing to adequately
17 monitor and supervise PERPETRATOR and failing to stop PERPETRATOR from committing
18 wrongful sexual acts with minors, including Plaintiff. Plaintiff is informed and believes that
19 employees, staff and agents of Defendants knew and/or suspected the assault was occurring at the
20 time and failed to investigate the matter further.

21 58. As a direct and proximate result of Defendants' acts and omissions, Plaintiff has
22 suffered and will continue to suffer physical, psychological, emotional and economic harm in a sum
23 to be proven at the time of trial.

24 **NEGLIGENT RETENTION OF PERPETRATOR**

25 59. Defendants owed Plaintiff a duty not to retain PERPETRATOR given his pedophile
26 propensities, which Defendants knew or had reason to know had they engaged in a meaningful and
27 adequate investigation of his background.

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1 supervise Plaintiff, a minor, and failed to use reasonable care in protecting Plaintiff, a minor, from
2 PERPETRATOR's misconduct that created a risk of childhood sexual assault while Plaintiff, a
3 minor, was involved in activities sponsored, supervised, organized, directed, and/or operated by
4 Defendants' and their agents and/or employees.

5 69. Defendant DOE 1, Defendant DOE 2, and DOE 3 through DOE 100's breach was a
6 substantial factor in PERPETRATOR's childhood sexual assault of Plaintiff.

7 70. As a direct, legal, and proximate cause of Defendant DOE 1, Defendant DOE 2, and
8 DOE 3 through DOE 100's acts, omissions and/or negligence, PERPETRATOR committed acts of
9 childhood sexual assault against Plaintiff.

10 71. As a direct and proximate result of Defendants' acts and omissions Plaintiff has
11 suffered and will continue to suffer physical, psychological, emotional and economic harm in a sum
12 to be proven at the time of trial.

13 **PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiff prays for the following relief against Defendants:

15 1. For damages for past and future medical, psychotherapy, and related expenses
16 according to proof at the time of trial;

17 2. For general damages for physical and mental pain and suffering and emotional
18 distress in a sum to be proven at the time of trial;

19 3. For damages for past loss wages and past earning capacity and/or future lost wages
20 and loss of earning capacity according to proof at the time of trial;

21 4. For interest as allowed by law;

22 5. For costs of suit herein; and

23 6. For such other and further relief as the Court deems proper.

24 Dated: 06-08-2021

LAW OFFICES OF JOSEPH C. GEORGE, PH.D.

25 By: 

26 Joseph George, Jr.
27 Maricar A. Pascual
28 Attorneys for Plaintiff
JOSEPH DOE FR 429

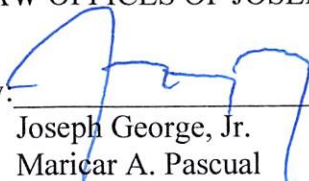
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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury in this matter.

Dated: 06.08.2021

LAW OFFICES OF JOSEPH C. GEORGE, PH.D.

By: 

Joseph George, Jr.
Maricar A. Pascual
Attorneys for Plaintiff
JOSEPH DOE FR 429